

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**CIVIL MINUTES - GENERAL**

Case No.	ED CV 12-01729-GHK (DFM)	Date	September 26, 2013
Title	Thomas David Rice v. West Valley Detention Center et al.		

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Present: The Honorable	Douglas F. McCormick
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Terri Steele	n/a
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Deputy Clerk	Court Reporter / Recorder
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Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:
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n/a	n/a
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**Proceedings:** (In Chambers) Order To Show Cause

On June 18, 2013, Defendants filed a motion to dismiss. On June 19, 2013, this Court issued an order establishing a briefing schedule for the motion and providing notice to Plaintiff of certain matters related to the motion. The Court directs the Clerk to attach a copy of the Court's June 19 Order to this Order when it is served on Plaintiff. Subsequently, this Court amended its June 19 Order on July 22, 2013, to extend Plaintiff's time to file and serve his opposition to Defendants' motion to September 5, 2013.

Plaintiff has failed to file his opposition by the extended deadline of September 5, 2013. Nor has Plaintiff sought any further extension of time.

Accordingly, on or before October 17, 2013, Plaintiff is ORDERED to either (a) serve and file his opposition to Defendants' motion to dismiss, or (b) serve and file a notice of non-opposition and/or a notice of voluntary dismissal of the action, or (c) show cause in writing why the Court should not deem his failure to file opposition as consent to the granting of the motion and why this action should not be dismissed for failure to prosecute. The Court admonishes Plaintiff that his failure to file a timely response to this Order will be deemed by the Court as evidence of a lack of prosecution, and may result in a recommendation to the District Judge that this action be dismissed on those grounds.

If Plaintiff files opposition to the motion to dismiss, Defendants are ordered to serve and file a reply to the same within twenty-eight (28) days of service of the opposition. The motion will then be taken under submission by the Court.

Initials of Clerk

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